



mentioned, the complaint was filed more than 15 months before Ohio Mulch filed its Notice of Removal. Therefore, jurisdiction in this Court is improper.

Okefenokee's Motion for Remand (Doc. # 6) to the Superior Court of Clinch County<sup>1</sup> is granted.

SO ORDERED, this the 22<sup>nd</sup> day of November, 2005.

s/ **Hugh Lawson**

**HUGH LAWSON, JUDGE**

pdl

---

<sup>1</sup> In its Motion, Okefenokee requests that the Court remand this case to the Superior Court in Clinch County because that is the county where the parties had contractually fixed venue. The Court expresses no opinion on any contract signed by the parties or any venue-fixing provisions contained therein. "It is well-established that remanded cases must return to the state courts from which they were removed. Federal district judges do not have the authority to 'transfer' cases by remanding them to different courts within the same state, let alone courts of another state, regardless of jurisdiction, venue, and efficiency considerations favoring such an action." 14C Charles Alan Wright, Arthur R. Miller and Edward H. Cooper, Federal Practice and Procedure § 3739 at 474-75 (3d ed. 1998) (footnotes omitted). Therefore, this case shall be remanded to the Superior Court of Clinch County, since that is the state court where Okefenokee originally filed this action and from which Ohio Mulch removed it.